UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

YETI COOLERS, LLC, PLAINTIFF, v. KAISER GROUP INC., D/B/A THERMO-STEEL, D/B/A VINO2GO, D/B/A BREW2GO, TITAN CUSTOM PRODUCTS, INC., THE ALLEN COMPANY, D/B/A ALLEN COLOR CRAFT, AD IDEAS OF WISCONSIN, INC., D/B/A ZIPLINE, D/B/A IMAGE INNOVATORS, ZIBO TIEE INTERNATIONAL CO. LTD., ZHEJIANG WUYI THE DRINKWARE CO. LTD., BENNER CHINA AND GLASSWARE OF FLORIDA, INC., DEFENDANTS.	**Case No. 1:15-CV-725-RP** **(Consolidated with 1-15-CV-775 RP)** **(Consolidated with 1-15-CV-887 RP)** **(Consolidated with 1-15-CV-888 RP)** **(Consolidated with 1-16-CV-142 RP)** **Jury Trial Demanded**

STIPULATION REGARDING PLAINTIFF'S MOTION TO (1) DISMISS THE KAISER DEFENDANTS' ANTITRUST COUNTERCLAIM; AND (2) SEVER AND STAY THE TORTIOUS INTERFERENCE AND ANTITRUST COUNTERCLAIMS (ECF NO. 68)

WHEREAS Plaintiff YETI Coolers, LLC ("YETI") on May 26, 2016, filed a Motion to (1) Dismiss the Kaiser Defendants' Antitrust Counterclaim; and (2) Sever and Stay the Tortious Interference and Antitrust Counterclaims ("YETI's Motion") (ECF No. 68); and

WHEREAS Defendants Kaiser Group Inc. ("Kaiser"), Titan Custom Products, Inc. ("Titan"), The Allen Company ("Allen"), Ad Ideas of Wisconsin, Inc. ("Ad Ideas"), and Benner China and Glassware of Florida, Inc. ("Benner") (collectively, "Kaiser Defendants") met and conferred with YETI on the issues raised in YETI's Motion.

IT IS HEREBY STIPULATED AND AGREED, subject to the approval of the Court, that with respect to YETI's Motion:

1. The Kaiser Defendants' 22nd counterclaim, alleging an antitrust violation, is severed and stayed until all other issues are adjudicated;

2. The Kaiser Defendants' 20th and 21st counterclaims, alleging tortious interference with contract, will not be severed and not be stayed and will proceed under the schedule ordered and entered by the Court on April 22, 2016 (ECF No. 56);

3. YETI's Motion to Dismiss the Kaiser Defendants' 22nd counterclaim (ECF No. 68), alleging an antitrust violation, is stayed until all other issues are adjudicated, is not waived, and may be presented to the Court by YETI in the future;

4. After all other issues in the case have been adjudicated, YETI and the Kaiser Defendants will jointly submit to the Court for its approval a schedule to litigate the Kaiser Defendants' 22nd counterclaim, including a deadline by which the Kaiser Defendants are required to oppose YETI's Motion to Dismiss the Kaiser Defendants' 22nd counterclaim;

5. YETI's Motion to Dismiss shall remain on file with the Clerk of the Court and will not need to be re-filed unless YETI elects to do so;

6. The Kaiser Defendants will not seek to modify the schedule ordered and entered by the Court on April 22, 2016 (ECF No. 56) based on this Stipulation.

Dated: June 8, 2016

Respectfully submitted,

By: */s/ J. Pieter van Es*

Kevin Meek
Texas Bar No. 13899600
kevin.meek@bakerbotts.com
BAKER BOTTS LLP
98 San Jacinto Blvd., Suite 1500
Austin, Texas 78701
Telephone: (512) 322-2639
Facsimile: (512) 322-8385

Joseph J. Berghammer (admitted to the Western District of Texas)
Illinois Bar No. 6273690
jberghammer@bannerwitcoff.com
J. Pieter van Es (admitted *pro hac vice*)
Illinois Bar No. 6210313
pvanes@bannerwitcoff.com
Louis DiSanto (admitted *pro hac vice)*
Illinois Bar No. 6286044
ldisanto@bannerwitcoff.com
Sean Jungels (admitted *pro hac vice*)
Illinois Bar No. 6303636
sjungels@bannerwitcoff.com
BANNER & WITCOFF, LTD.
10 South Wacker Drive, Suite 3000
Chicago, IL 60606
Telephone: 312-463-5000
Facsimile: 312-463-5001

ATTORNEYS FOR YETI COOLERS, LLC

By: */s/ Wing K. Chiu*

Steven R. Daniels
Texas Bar No. 24025318
sdaniels@farneydaniels.com
FARNEY DANIELS PC
800 S. Austin Ave., Suite 200
Georgetown, Texas 78626-5845

Wing K. Chiu (admitted *pro hac vice*)
wkc@lawmlg.com
New York Bar No. 2563252
MESTECHKIN LAW GROUP P.C.
1001 Avenue of Americas, 11th Floor
New York, NY 10018

ATTORNEYS FOR DEFENDANTS KAISER GROUP INC., D/B/A THERMO-STEEL, D/B/A VINO2GO, D/B/A BREW2GO, TITAN CUSTOM PRODUCTS, INC., THE ALLEN COMPANY, D/B/A ALLEN COLOR CRAFT, AD IDEAS OF WISCONSIN, INC., D/B/A ZIPLINE, D/B/A IMAGE INNOVATORS, BENNER CHINA AND GLASSWARE OF FLORIDA, INC.

SO ORDERED, this ___ day of ______, 2016.

____
ROBERT PITMAN
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record, who are deemed to have consented to electronic service are being served June 8, 2016 with a copy of this document via the Court's CM/ECF system.

/s/ Wing K. Chiu
Wing K. Chiu